

AFFIDAVIT

**Sheriff's**  
Polk County



**Office**  
Winter Haven, FL

FORM #9013A - Revised 11/5/77/10

Agency ORI Number  
FL0530000

INCIDENT NUMBER  
130036666

JUVENILE

☒

ADULT

BOOKING #

OBITS#

**IN CIRCUIT/COUNTY COURT IN THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FL**

SUBMITTING MEMBER DOYON, LUCMEMBER # 5014DATE /TIME OF ARREST/INCIDENT 9/5/2013 10:50:00LOCATION OF INCIDENT 1995 THUNDER RD EAGLE LAKE☐ NOTICE TO APPEAR☐ COMPLAINT AFFIDAVIT☒

ARREST REPORT

CITY OF City Limits Eagle Lake, COUNTY OF POLK, STATE OF FLORIDA

RIGHT THUMB PRINT

THE UNDERSIGNED AFFIANT SWEARS SHE/HE HAS JUST AND REASONABLE GROUNDS TO BELIEVE THAT ON

08/30/13 ATAPPROXIMATELY 13:30:00

IN THE VICINITY OF

EAGLE LAKE

POLK COUNTY, FLORIDA

COPE, MICHAEL

ALIAS

LAST

FIRST

MIDDLE

ADDRESS 2245 AVENUE C SW WINTER HAVEN, FL 33880PHONE (863)877-8259RACE/SEX B/M

DOB

7/28/1961

HT

604

WT

280

EYE

BRO

HAIR

BLK

COMP

BUILD

SPEECH

SCARS

POB

MARITAL STATUS

DL#

ST FL

SS#

OCCUPATION

COACHEMPLOYER/SCHOOL LAKE REGION HIGH SCHOOL

PHONE

JUV. PARENTS

PHONE

n/a

**NOTICE TO APPEAR/OF APPOINTMENT**

I AGREE TO APPEAR IN COURT/JAC AT \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ AM/PM TO ANSWER THE CHARGE(S) IN THIS COMPLAINT OR TO PAY THE PRESCRIBED FINE FOR THIS OFFENSE. I UNDERSTAND THAT A WILFUL FAILURE TO APPEAR WILL RESULT IN A WARRANT FOR MY ARREST AND MAY BE A NEW OFFENSE (DO NOT BE LATE).

Defendant/Violators Signature

Parent/Guardian Signature

Date

**COMMITTED THE OFFENSE(S) OF:**

Lewd Lascivious Molestation by Prsn, 18 YO

FSS/FAC/CO

800.04(5)(C)2 Counts;LEVEL/DEGREE F2

**AFFIDAVIT  
CONTINUATION**

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FORM #9013A - Revised 05/27/10

Agency ORI Number  
**FL0530000**

INCIDENT NUMBER  
**130036666**

**CO-DEFENDANT:**

**VICTIM/WITNESS:**

Victim: \_\_\_\_\_

Witness: \_\_\_\_\_

**PROBABLE CAUSE:**

Victim: \_\_\_\_\_ (15 years old)  
Suspect: Michael Sylvester Cope Sr., B/M, DOB: 07/28/61 (52 years old)

On 08/30/13, between the hours of 1200 hours and 1340 hours, While Michael Cope Sr. was performing his duties with the Polk County School School Board as the In School Suspension ESE Para-Instructor and during classroom session, he intentionally and unlawfully touched the victim's breast on top of her clothing.

At the time of the incident the victim was fifteen years old and the suspect was fifty two years old.

The victim provided a recorded statement in which she was given an In School Suspension on the date in question and required to attend the suspect's classroom. During the last period of the day, another student requested to use the bathroom and this left her alone with Mr. Cope. The victim stated Mr. Cope requested her to assist him in stapling documents together. As she exited her desk, Mr. Cope approached her and touched her neck area with an open left hand. Mr. Cope then slid his left hand on top of her left breast and fondled her breast for a few seconds on top of her clothing. The victim stated nothing was said during this act by Mr. Cope except laughter.

The other student returned back to the classroom and Mr. Cope instructed this student to retrieve a stapler from another room causing the student to leave. The victim stated when the other student left, she was again alone with Mr. Cope, and at this time he walked past her slapping her with an open hand on top of her buttocks, on top of her clothing. Just prior to the last bell ringing, the victim stated Mr. Cope informed her not to tell anyone and not to tell the other student present in the classroom.

Witness \_\_\_\_\_ (student) provided a recorded statement stating she was given an In School Suspension on the date in question and required to attend the suspect's classroom. During the last period, she requested to use the bathroom and upon returning she was instructed to retrieve a stapler from another classroom. Upon her return, both students continued stapling papers until last bell. The Witness stated she was waiting for her bus, when the victim disclosed Mr. Cope had touched her breast and slapped her buttocks.

During a recorded conversation between, the victim and Mr. Cope, the victim informed Mr. Cope she had informed the witness about the incident which occurred on Friday. Mr. Cope's response was "Oh Lord, Why did you tell her".

On 09/04/13 at approximately 2100 hours, a non-custodial interview was conducted with the suspect, Mr. Cope agreed to meet at Polk County Sheriff's Office. During the interview, Mr. Cope denied any touching occurring between himself and the victim. Mr. Cope was very explicit in which no touching occurred between himself and the victim. Mr. Cope further advised the victim was lying about the allegations made against him. When confronted with his statement of "Oh Lord, Why did you tell her", Mr. Cope stated he accidentally touched the victim's breast. Mr. Cope stated while placing paperwork on the desk for the victim to staple them, as he turned around, with both hands high up, palms facing outwardly, he turned around and accidentally placed both hands on the victim's breast while she was standing behind him. Mr. Cope stated he thought the victim was standing to his left and she somehow moved behind him as he turned around. Mr. Cope stated he sat down at his desk and was concerned about what had just happened and he stated out loud "Oh Lord, I hope I don't get in trouble for this".

On 09/05/13, at approximately 1000 hours, a non-custodial interview was conducted with the suspect Mr. Cope who agreed to meet at The Polk County Sheriff's Office. During the interview, Mr. Cope admitted he made a mistake and confessed he reached out and touched the victim's breast as she described. He admitted it was a

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momentary lapse and his hand did reach out and touch her breast for a few seconds. He admitted there was no reason and the act was a spur of the moment.

Based on my investigation, Michael Cope violated Florida States Statute 800.04(5)(C)(2) Lewd Molestation in which he unlawfully and intentionally touched the victim's breast on top of her clothing in a lewd and lascivious manner. The victim was fifteen years old at the time of the incident and the suspect was fifty-two years old.

SWORN TO AND SUBSCRIBED BEFORE ME, THE UNDERSIGNED AUTHORITY, THIS 5 DAY OF September 2013

This affidavit was electronically signed

MCPHERSON, REBECCA LOUISE 6410

DEPUTY CLERK/NOTARY PUBLIC/LEO

DOYON, LUC

AFFIANT

5014